

REMARKS

Claims 1-4 and 8-18 are presented for further examination. Claims 1, 8, 9, and 12 have been amended. Claims 5-7 have been canceled, and claims 13-18 are new.

In the final Office Action mailed January 2, 2008, the Examiner rejected claims 1-12 under 35 U.S.C. § 103(a) as obvious over Schafer WO 97/09179 in view of the Admitted Prior Art (APA) and U.S. Patent Publication No. 2002/0110647 (“Gust”).

Applicant respectfully disagrees with the bases for the rejection and requests reconsideration and further examination of the claims.

Claim 1 is directed to a process for the manufacture of a ruler for use in accurate measuring of fabric for quilting, patchwork and other crafts. The process is recited as including the steps of forming a ruler blank from a single layer of a substantially transparent material and printing a pattern onto a surface of the blank consisting of a single or multicolor pattern with scalar markings on the ruler. Claim 1 further recites printing a “non-slip pattern” using a composition that includes an ultraviolet-light dryable ink with an adhesive and a granular filler to impart non-slip properties onto the same surface of the ruler without impeding viewing of the item measured and the scalar markings through the ruler. Claim 1 in addition recites the nonslip pattern dried by passing the ruler through a UV dryer at a temperature not to exceed 40°C and for a period of within 30 seconds.

None of the references cited and applied by the Examiner teach the printing of a non-slip pattern. Rather, applicant’s admitted prior art describes the use of a varnish with a finely ground sand or pumice that is dissolved in solvent and printed onto “an area” on a quilting ruler to impart non-slip characteristics. Neither Schafer nor Gust teach or suggest printing a non-slip “pattern” apart from the scalar pattern much less using an ultraviolet-light dryable ink only for the non-slip pattern. Gust describes a method in which a UV-curable sheet is used to form a scratch-free film to create a slip and abrasion resistant coating. Nowhere does Gust teach or suggest that such a coating is applied in a pattern. Rather, Gust describes the entire surface being coated with this material. Moreover, Gust does not describe or suggest that such a coating be applied in a pattern that does not impede viewing of an item being measured and the scalar markings through a ruler. In addition, Gust does not teach or suggest using a UV dryer at a temperature not to exceed 40°C where the ruler is passed therethrough at a time period of within

30 seconds. None of the parameters set forth in paragraphs 28-30 of Gust teach or suggest the same.

In view of the foregoing, applicant respectfully submits that claim 1 is clearly allowable over the combination of references cited and applied by the Examiner.

Dependent claims 2-4 are allowable for the features recited therein as well as for the reasons why claim 1 is allowable.

Independent claim 8 is directed to a ruler for use in the accurate measuring of fabric for quilting, patchwork, and other crafts that includes a ruler blank formed from a single layer of substantially transparent material, a pattern of scalar markings including at least one color printed onto a surface of the ruler, and a non-slip, snag resistant pattern that is comprised of an ultra-violet-light dried ink, an adhesive, and a granular filler printed on the same surface of the ruler as the pattern of the scalar markings, with the pattern applied in a manner to prevent impeding viewing of the measured item and the scalar markings.

As discussed above, Gust describes a process wherein a coating is applied over the entire surface. An opaque coating of this nature would be inappropriate in the ruler context because it would defeat the purpose of the ruler, *i.e.*, being able to view the fabric material and the scalar markings through the transparent ruler. Applicant's admitted prior art does not describe or suggest the use of UV material printed in a pattern to form a non-slip pattern on the working surface of the ruler. While Schafer may suggest the use of UV inks for printing the scalar markings, there is no teaching or suggestion that such inks can be used to print non-slip, non-snap, patterns on a ruler separate and apart from the scalar markings in a manner that does not impede viewing of the material and the scalar markings through the transparent ruler.

Even if one were motivated to combine the references as the Examiner suggests, it would result in the use of UV curable coating materials applied to the scalar pattern of lines and not in a separate non-slip pattern printed apart from the scalar lines in a manner that prevents impeding viewing of the material to be measured and the scalar lines. Moreover, Gust is directed to a method of coating a polymer film that has been stretched in a direction and a UV-curable coating applied to the stretched sheet and exposing the same to UV radiation. Gust do not teach or suggest applying the UV-curable coating to anything other than a flexible polymer film that is stretched onto an object.

Thus, if one were motivated to combine the references as suggested by the Examiner, it would require the use of a polymer sheet applied and stretched over the working surface of the ruler to which the UV coating would be applied. This is not applicant's claimed invention.

In view of the foregoing, applicant respectfully submits that claim 8 and dependent claims 9-12 are clearly allowable over the references cited and applied by the Examiner.

Claims 13-18 are directed to a method of making a ruler in one or more discrete stages that includes the distinguishing features recited in independent claim 1. Applicant respectfully submits that claim 13 and dependent claims 14-18 are allowable for the reasons discussed above with respect to claims 1-4.

In view of the foregoing, applicant respectfully submits that all of the claims in this application are now in condition for allowance. In the event the Examiner finds minor informalities that can be resolved by telephone conference, the Examiner is urged to contact applicant's undersigned representative by telephone at (206) 622-4900 in order to expeditiously resolve prosecution of this application. Consequently, early and favorable action allowing these claims and passing this case to issuance is respectfully solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Respectfully submitted,  
SEED Intellectual Property Law Group PLLC

/E. Russell Tarleton/  
E. Russell Tarleton  
Registration No. 31,800

ERT:alb  
701 Fifth Avenue, Suite 5400  
Seattle, Washington 98104  
Phone: (206) 622-4900  
Fax: (206) 682-6031